UNSTARRED QUESTIONS AND ANSWERS.

Construction of a Causeway on the Kerehalla near Anekere Village in Channarayapatna Taluk.

Q.—4. Sri H. D. DEVEGOWDA (Holenarasipur).—

Will the Government be pleased to state :—

(*a*) whether they have decided to construct a causeway on the Kerehalla near Anekere Village in Channarayapatna Taluk ;

(*b*) whether they will take suitable steps to complete this work early ?

A.—Sri VEERENDRA PATIL (Minister for Public Works and Transport).—

(*a*) No. But it is intended to put up a Low Level Causeway across Kerehalla.

(*b*) Estimate has already been called for and necessary action will be taken in the matter.

Roads taken up under Rural Communication Programme in Sorab and Sagar Taluks.

Q.—7. Sri V. S. LAKSHMIKANTHAPPA (Sagar).—

Will the Government be pleased to state :

the total mileage of roads in Sorab and Sagar taluks taken up under Rural Communication Programme ?

A.—Sri VEERENDRA PATIL (Minister for Public Works and Transport).—

79 miles and 7 furlongs.

Mileage of Roads taken over by the Public Works Department for maintenance in Sorab and Sagar Taluks.

Q.—8. Sri V. S. LAKSHMIKANTHAPPA (Sagar).—

Will the Government be pleased to state :—

the total mileage of roads taken over by Public Works Department for maintenance in Sorab and Sagar Taluks during 1961-62 ?

A.—Sri VEERENDRA PATIL (Minister for Public Works and Transport).—

57 miles and 3 furlongs

Construction of a Bridge across the River Varda near Gondi in Sorab Taluk.

Q.—9. Sri V. S. LAKSHMIKANTHAPPA (Sagar).—

Will the Government be pleased to state : —

(*a*) when the bridge across the River Varda near Gondi in Sorab Taluk was sanctioned ;

(*b*) the reasons for the delay in taking up the work ?

A.—Sri VEERENDRA PATIL (Minister for Public Works and Transport).—

(*a*) Administrative approval to the estimate for the work was accorded on 23-3-1962.

(*b*) In view of reply to clause (*a*), this does not arise.

MYSORE AGRICULTURAL INCOME TAX (AMENDMENT) BILL, 1962.

Motion to consider.

(*Debate continued*).

‡Sri S. R. KANTHI (Chief Minister).—Sir, though it is a very simple amending Bill, some seriousness and misconceptions were noticed in the debate. While thanking the hon'ble members for giving their views I would like to draw the attention of the Hon'ble members to certain remarks that they have made and try to give reply.

Sri S. RAJAGOPAL (K.G.F.).—Sir, it looks as if the Chief Minister is answering the debate. Yesterday some more members wanted to speak. I request that I may be permitted to speak before he begins to reply.

Sri S. R. KANTHI.—Yesterday it was definitely understood that this Bill should be taken up for only half an hour. Now, there is no scope for other members to take part in the debate.

Mr. SPEAKER.—The Hon'ble Chief Minister has begun to reply and he can continue.

Sri S. R. KANTHI.—The Hon'ble Leader of the Opposition made a point saying when the Government is taking land revenue, why should they also take money from the agriculturist by way of agricultural income tax, *i.e.*, taxing him on the income agriculture. These two conceptions are separate. One is a tax on land while the other is a tax on the income from land. These two are not inconsistent. They are prevailing everywhere in every State of India. Even if the P.S.P. party steps into power, they will do the same thing.

Sri S. SHIVAPPA.—We will abolish land revenue on uneconomic holdings.

Sri S. R. KANTHI.—I do not agree for a moment with the Hon'ble Leader of the Opposition if he were to say that the Government should not tax the people by way.....

(*Sri M. V. Krishnappa, Minister for Revenue, had gone up to the Chair of the Hon'ble Speaker, and was seen talking to him*).

Sri C. J. MUCKANNAPPA.—In any of the State Legislatures, when the Hon'ble Chief Minister is on his legs and when he is replying to the debate, can a Revenue Minister go and talk? I have to learn so many things from the Chair. I want to know whether it is permissible and whether such a thing is warranted under the Rules.

Mr. SPEAKER.—I am going to send you a copy of the Rules.....

Sri C. J. MUCKANNAPPA.—About precedent and convention—these are not found there.

Sri M. V. KRISHNAPPA.—I have come from the Parliament and I am an authority.

Sri C. J. MUCKANNAPPA.—I am not willing to take a reply from Sri M. V. Krishnappa. I want to get a reply from the exalted Chair.

Mr. SPEAKER.—Kindly read rule 325 where all residuary powers are with the Speaker.

Sri S. R. KANTHI.—As regards the conception of joint Hindu family, an objection was taken that the meaning of the joint Hindu family was being curtailed. I would like to refer Hon'ble Members to the definition of Joint Hindu family contained in the Indian Income-tax Act, where, it says, it is limited to two coparceners, in a joint family. Here the definition is much better than the one in the Indian Income-tax Act. At least, we allow five members of the age of 18 and above.

Sri K. PUTTASWAMY (Mysore).—Is there any age limit in the Income-tax Act?

Sri S. R. KANTHI.—No. But it is limited to two co-parceners .....

Sri K. PUTTASWAMY.—It might mean father and his son of one day old.

Sri S. R. KANTHI.—It may mean anything. I am not in any way interpreting the Income-tax Act. I am only pointing out that the definition of the Joint Hindu family as envisaged in this Bill is much better than the one in the Income-tax Act.

ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣ್ಣಸಿದ್ದಪ್ಪ (ತಿಪಟೂರು).—ಒಬ್ಬ ವರ್ಷಕ್ಕೇ ಮದುವೆ ಮಾಡುವ ನಂದರ್ಭಗಳು ಇರುತ್ತವೆ. ಅವರಿಗೆ ಮಕ್ಕಳು ಕೂಡ ಇರುತ್ತವೆ.

ಶ್ರೀ ಎಸ್. ಆರ್. ಕಂಠಿ.—ಅದು ಎರಡ್ಲಾ ನಿಮಗೆ ಗೊತ್ತು. ನಮ್ಮಂಥವರಿಗೆ ಗೊತ್ತಾಗುವುದಿಲ್ಲ.

I can only claim that the definition of the Hindu Joint family is much liberal in this Bill.

Sri Shamsuddin was very apprehensive. He felt that this amendment had the effect of nullifying the High Court decision. It is not so, Sir. By this amendment, we are not taxing for the period 1955-56 nor for the period 1956-57. We are taxing for the period commencing from 1-4-1957, when the law came into operation. As all of us know, when we are taxing for a certain year, we will have to take the income for the previous year for calculation. So 1956-57 is important from that point of view. As the Hon'ble Members know, before 1-11-1956, the integrating area was not with old Mysore, or did not form part of new Mysore, which did not exist at all. By

this amendment, what is accepted is that we have a definition as to what is meant by the State of Mysore. The question of assessing income for the year 1955-56 in Bombay Karnatak area or for the period 1956-57 does not arise at all. Sri Venkatai Gowda was harping on the same point. I can only give him the same answer. In respect of assessment and re-assessment which became a necessity on account of the orders of the High Court or of superior courts, naturally, we will have to levy for the period of calculation. It may be limited to that period, which is obvious. Anybody who is conversant with the Limitation Act will see that this is more natural. Sri Angadi Channabasappa made an argument in respect of Joint Hindu families. He took objection to the fact that no discrimination between male and female adults should be made. If there should be no objection on this ground, by including female adults in the Joint Hindu family, the benefit is extended rather than curtailed. By this definition, the Joint Hindu Family is benefited.

As this Bill is going to a Select Committee, I do not want to give a detailed reply. Whatever I have said is in reply to the main points raised in the House.

Sri C. J. MUCKANNAPPA.—May we know what is the pecuniary loss ?

Sri S. R. KANTHI.—There is no pecuniary loss ; neither there is much gain in it ; we are simply trying to remedy some of the defects that were in the Act.

Sri ANGADI CHANNABASAPPA (Hadagali).—I had raised another objection. The cost of collection would be much and the returns would be small.

Sri K. PUTTASWAMY.—Is the reply of the Hon'ble Chief Minister over, Sir ?

Mr. SPEAKER.—Yes.

Sri K. PUTTASWAMY.—For another twenty minutes, we have to discsus this Bill.....

Sri S. R. KANTHI.—That is the maximum time allotted.

Sri H. R. KESHAVA MURTHY (Gandasi).—I want an explanation from the Leader of the House for the amendment of Section 59 on page 3—clause 3 (ii).

ಶ್ರೀ ಎಸ್. ಆರ್. ಕಂಠಿ.—ಓದಿ ನೋಡಿ.

Sri H. R. KESHAVA MURTHY.—It reads :

"to rectify any error on account of the assessment of such assessee or person under this Act, instead of under the relevant repealed enactment, provided such assessment or re-assessment under the repealed enactment is made within a period of two years from the date of commencement of the Mysore Agricultural Income-tax (Amendment) Act, 1962."

Sri S. R. KANTHI.—It is giving retrospective effect. That is all.

Sri H. R. KESHAVA MURTHY.—Please explain clearly.

Sri C. J. MUCKANNAPPA.—He is demanding an explanation. Are we not entitled to hear the explanation of the Chief Minister ?

Sri S. R. KANTHI.—I said that that was obvious.

Sri C. J. MUCKANNAPPA.—We do not want a clarification. We want an explanation.

Sri M. MALLIKARJUNASWAMY (Kirugavalu).—Sir, agricultural income-tax is subject to super-tax in some of the States. I want to know whether that super tax will be imposed here also. In the second place, I would like to suggest to our Chief Minister and he will agree with me if I say that the Taxation Enquiry Commission has recommended that surcharge should be imposed on agricultural income.

2-30 P.M.

Sri S. R. KANTHI.—I cannot understand what the Hon'ble Member wants to know from me. The amendments are quite clear. We are not indulging in putting surcharges on agricultural income tax.

Mr. SPEAKER.—The question is : "That the Mysore Agricultural Income Tax (Amendment) Bill, 1962, be taken into consideration."

The motion was adopted.

Motion to refer to a Select Committee

Sri S. R. KANTHI.—I beg to move:

"That the Mysore Agricultural Income Tax (Amendment) Bill, 1962, be referred to a Select Committee consisting of the following members :—

1 Sri J. H. Shamsuddin
2 Sri Alur Hanumanthappa
3 Sri D. Devaraj Urs
4 Sri R. Chennigaramaiah
5 Sri V. Masiyappa
6 Sri S. Aval Reddy
7 Sri C. S. Hulkoti
8 Sri S. Rudrappa
9 Sri B. Hutche Gowda
0 Sri C. J. Muckannappa
1 Sri M. V. Shetti
12 Smt. Basavarajeshwari
13 Sri A. S. Patil"

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8 Sri S. Rudrappa
9 Sri B. Hutche Gowda
10 Sri C. J. Muckannappa
11 Sri M. V. Shetti
12 Smt. Basavarajeshwari
13 Sri A. S. Patil"

The motion was adopted.

Mr. SPEAKER.—Under rule 232 the Hon'ble Minister in charge of the Department to which the Bill relates and the Minister for Law will be members of the Select Committee. Under rule 196 I appoint the Hon'ble Minister in-charge of the Bill as the Chairman of the Committee.

MYSORE TENANCY LAWS (AMENDMENT) BILL, 1962.

Motion to consider.

Mr. SPEAKER.—I must inform the House that the Hon'ble Minister in charge of the Bill who was here told me that he was indisposed and sought my permission to go and I have permitted him to do so. He has also said that the Hon'ble Minister for Agriculture will attend to the Bill.

Sri B. RACHAIAH (Minister for Agriculture).—I beg to move:

"That the Mysore Tenancy Laws (Amendment) Bill, 1962, be taken into consideration."

Mr. SPEAKER.—Motion moved:

"That the Mysore Tenancy Laws (Amendment) Bill, 1962, be taken into consideration."

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ(ವ್ಯವಸಾಯ,ಸಹಕಾರ ಮತ್ತು ಅರಣ್ಯಶಾಖೆಗಳ ಮಂತ್ರಿಗಳು).–ಸ್ವಾಮಿ, ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಈ ಗೇಣಿಶಾಸನಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಹಾಗೆ ಕಳೆದ ಎರಡು ಮೂರು ಸಾರಿ ತಿದ್ದುಪಡಿಗಳನ್ನು ತಂದು ಈ ಶಾಸನವನ್ನು ಮುಂದೂಡುವುದಕ್ಕೆ ಪ್ರಯತ್ನಗಳನ್ನು ಮಾಡಲಾಗಿತ್ತು. ನಮ್ಮ ಸರ್ಕಾರ ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಭೂಸುಧಾರಣೆಗಳ ಶಾಸನವನ್ನು ಜಾರಿಗೆತರತಕ್ಕ ಸಂದರ್ಭದಲ್ಲಿ ಈಗಾಗಲೇ ಭೂಸುಧಾರಣೆಯ ಮಸೂದೆಗೆ ಈ ಮಾನ್ಯ ಸಭೆಯ ಮತ್ತು ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರುಗಳ ಒಪ್ಪಿಗೆಯನ್ನು ಪಡೆದು ಅನಂತರ ಅದನ್ನು ರಾಷ್ಟ್ರಪತಿಗಳ ಅನುಮತಿಗಾಗಿ ಕಳುಹಿಸಿ, ಅವರಿಂದಲೂ ಈಗಾಗಲೇ ಅದಕ್ಕೆ ಒಪ್ಪಿಗೆಯನ್ನು ಪಡೆಯಲಾಗಿದೆ. ಆದರೆ ಹಾಗೆ ರಾಷ್ಟ್ರಾಧ್ಯಕ್ಷರಿಂದ ಅನುಮತಿ ಪಡೆಯತಕ್ಕ ಕಾಲದಲ್ಲಿ ಈ ಶಾಸನವನ್ನು ಜಾರಿಗೆ ಕೊಡತಕ್ಕ ಕಾಲದಲ್ಲಿ ಕೆಲವು ಅಂಶಗಳನ್ನು ಪರಿಶೀಲಿಸಿ ಜಾರಿಗೆ ಕೊಡತಕ್ಕ ಬಗ್ಗೆ ಕೆಲವು ನಲಹೆಗಳನ್ನು ಪ್ಲಾನಿಂಗ್ ಕಮೀಷನ್ನಿನವರು ತಿಳಿಸಿದ್ದರು. ಆದರೆ ಅವರು ಹಾಗೆ ಕೊಟ್ಟಿರತಕ್ಕ ನಲಹೆಗಳನ್ನು ಪರಿಶೀಲನೆ ಮಾಡಿ ಭೂಸುಧಾರಣೆ ಮಸೂದೆಯನ್ನು ಈ ವರ್ಷದ ಅಂದರೆ 1962ನೇ ಜೂನ್ ಆಖೈರಿನೊಳಗಾಗಿ ಜಾರಿಗೆ ತರುವುದಕ್ಕೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಮತ್ತೊಂದು ಅಂಶವೇನೆಂದರೆ ಕೇರಳದ ಅಗ್ರೇರಿಯರ್ ರಿಫಾರಂಸ್ ಬಗ್ಗೆ ಒಂದು ವಿವಾದ ಸುಪ್ರೀಂಕೋರ್ಟಿಗೆ ಹೋಗಿ ಅಲ್ಲಿ ಒಂದು ತೀರ್ಮಾನವಾಗಿದೆ. ಆ ತೀರ್ಮಾನದ ಬೆಳಕಿನಲ್ಲಿ ಈಗ ನಮ್ಮ ಸಂಸ್ಥಾನದಲ್ಲಿ ಅಡಕಗೊಂಡಿರುವ ದಕ್ಷಿಣ ಕನ್ನಡ ಜಿಲ್ಲೆ, ಕೊಳ್ಳೆಗಾಲ ತಾಲ್ಲೂಕ್ ಮತ್ತು ಕೊಡಗು—ಈ ಭಾಗಗಳಲ್ಲಿ ಈ ಶಾಸನದ ಕೆಲವು ಭಾಗಗಳನ್ನು ಅಂದರೆ ಈ ಕಾನೂನಿನ ವ್ಯಾಲಿಡಿಟಿಯನ್ನು ಪ್ರಶ್ನೆಮಾಡತಕ್ಕ ಒಂದು ಶಂಕೆ ಇದ್ದುದರಿಂದ ಈ ವಿಚಾರವನ್ನು ರಾಷ್ಟ್ರಾಧ್ಯಕ್ಷರ ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಂಡು ಹೋಗಿ ಈ ಭೂಸುಧಾರಣ ಶಾಸನವನ್ನು ನಮ್ಮ ರಾಜ್ಯಾಂಗದ ಆರ್ಟಿಕರ್ 20 ಮತ್ತು ಷೆಡ್ಯೂಲ್ 9 ರಲ್ಲಿ ಸೇರಿಸಿಕೊಳ್ಳುವಂತೆ ರಾಷ್ಟ್ರಪತಿಗಳನ್ನು ಕೋರಿದ್ದೇವೆ. ಈ ಸಂಬಂಧದಲ್ಲಿ